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TO HUMAN RIGHTS COUNCIL COLLECTIVE IMMEDIATE  
RUEHSJ/AMEMBASSY SAN JOSE IMMEDIATE 6316  
RUEHSN/AMEMBASSY SAN SALVADOR IMMEDIATE 6995  
RUEHSG/AMEMBASSY SANTIAGO IMMEDIATE 5847  
INFO RUCNDT/USMISSION USUN NEW YORK IMMEDIATE 6507  
RUEHGV/USMISSION GENEVA IMMEDIATE 4575

UNCLAS SECTION 01 OF 02 STATE 035404

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E.O. 12958: N/A

TAGS: [UNHRC](#) [PREL](#) [PHUM](#)

SUBJECT: EXTENSION OF THE OCCUPIED TERRITORIES MANDATE AT  
THE HUMAN RIGHTS COUNCIL

#### SUMMARY

¶1. At the current session of the Human Rights Council, the Organization of Islamic Conference (OIC) tabled a resolution that would extend the mandate of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967 until the end of Israeli occupation. This resolution short-circuits the process by which an existing Council Working Group is reviewing all mandates and special procedures carried over to the Human Rights Council from its predecessor body. This resolution would single out one mandate for indefinite extension while failing to address the other mandates (such as Cuba). The Mandate Review Working Group will provide its recommendations at the June session of the Human Rights Council. The mandate of the Special Rapporteur for the Occupied Palestinian Territories will not expire before the working group makes its recommendations, which means that proponents of this mandate lose nothing by waiting. Department requests Embassy to demarche host governments to explain that from a procedural perspective, it would be unhelpful to circumvent this review process by passing a resolution that extends one mandate while the rest of the mandates remain under review. End Summary.

#### OBJECTIVES

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¶2. Department instructs Embassy to pursue the following objectives:

--Convince host governments that the review of the mandate of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied since 1967 should be done in the working group which will review all mandates, and that reviewing a mandate outside of the working group undermines the Council's efforts to ensure objectivity and non-selectivity and would further promote, not eliminate, double-standards;

-- Persuade host governments to convince the sponsor to defer action on this resolution until June.

#### REPORTING DEADLINE

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¶3. Embassy should report results of efforts by cable to DRL/MLGA, IO/RHS, and Mission Geneva before March 23, 2007.

## BACKGROUND

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### 14. Non-Paper, which may be left with host government:

In its resolution creating the Human Rights Council, 60/251, the General Assembly decided that "the Council shall assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and a complaint procedure."

The Council created a Working Group for the review, rationalization and harmonization of mandates. This working group provides regular updates and plans to submit its final proposal at the June session of the Human Rights Council. A resolution was tabled and will be voted during the current session of the Human Rights Council, which singles out one mandate from this process. This resolution would extend indefinitely the mandate of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967, thereby circumventing the will of the General Assembly, as expressed in GA resolution 60/251, which created the Human Rights Council.

As a procedural matter, exempting one mandate from this

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review would contradict the principle of non-selectivity, which has been a focus of the nascent Council. In addition, there is no practical need to address the extension of the mandate. All mandates were extended by the Council (Resolution 2006/102) last June for one year. As a result, the mandate will not expire in the immediate future and will continue to exist until the Working Group has a chance to make its recommendations.

The Human Rights Council must allow the Working Group to present its recommendations as agreed in Resolution 2006/102.

It should not create special exceptions for any mandate.

## POINT OF CONTACT

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18. Please contact DRL/MLGA Director Julieta Valls Noyes at (202) 647-4380 or via e-mail for any necessary further background information or arguments to meet our objectives.

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